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PATENT APPLICATION

Docket No: Q88366

In re application of

Hiroshi HORIUCHI, et al.

Appln. No.: 10/537,493

Group Art Unit: Not yet assigned

Confirmation No.: Not yet assigned

Examiner: Not yet assigned

Filed: June 03, 2005

For: METHOD FOR PRODUCING FERMENTED MILK AND FERMENTED MILK

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.97 and 1.98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

INFORMATION DISCLOSURE STATEMENT U.S. Appln. No.: 10/537,493

filing a request for continued examination (RČE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with an English-language version (if not already included) of at least that portion of the Communication

indicating the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted.

Registration No. 32,197

Mark Boland

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23373 CUSTOMER NUMBER

Date: September 7, 2005

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mplete if Known Substitute for Form 1449 A & B/PTO 10/537,493 Application Number INFORMATION DISCLOSURE Confirmation Number Not yet assigned June 03, 2005 Filing Date Hiroshi HORIUCHI First Named Inventor Art Unit Not yet assigned (use as many sheets as necessary) Examiner Name Not yet assigned Attorney Docket Number O88366

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Document Number		Publication Date	
		Number	Kind Code ² (if known)	MM-DD-YYYY	Name of Patentee or Applicant of Cited Documen
		US			
		US			0
		US			

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Foreign Patent Document			Publication Date	Name of Patentee or	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)	MM-DD-YYYY	Applicant of Cited Document	Translation
/HRB/		JP	10-99019	A	04/21/1998		No
/HRB/		JР	2001-112437	Α	04/24/2001		No
/HRB/		JP	2002-191294	A	07/09/2002		No
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Examiner Initials*	Cite No.1	include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pagc(s), volume-issue number(s), publisher, city, and/or country where published.	
/HRB/		S. SHEKAR et al., "Influence of Dissolved Oxygen on Acid Production in Buffalo Milk by Lactic Cultures" (1983), Journal of Food Protection, Vol. 46, No. 4, pp. 321-324	
/HRB/		International Search Report dated March 1, 2004	

	Other and all Deputers	06/02/2008
Examiner Signature	/Hamid Badr/	Date Considered
Examiner Signature		

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique cliution designation number (optional). See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. 2 Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). The Japanese patent documents, the indication of the year of the religior of the Emperor main proceds the terial number of the patent document. With of potentiary byte appropriate symbols as indicated not the document under WTPO Standards T. 1 if promitte. * Explaints at to indicate here if English and the Comment of the patent of language Translation is attached.